CANCELLED

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2226/2005

PETITIONER :- Ram Kishun Thawait son of Dukhiram, aged about 46 years, Suspended Patwari, Posted at Tahsil Office Janjgir, District Janjgir-Champa, R/o near to Paliwal Hospital Champa Road, Janjgir, District Janjgir-Champa [C.G.].

P.R. No. 2352/05
Presented by Shri M.K. Bhadauria
dated 30/5/05

VERSUS

RESPONDENTS :-

1. The State of Chhattisgarh through – Secretary, Department of Revenue, D.K.S. Bhavan, Raipur [C.G.]

2. The Sub Divisional Officer [Revenue] Janjgir, District Janjgir-Champa [C.G.].

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30.5.05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P. 2226 ..... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15.6.2005

Shri M.K.Bhaduri, counsel for the petitioner.

Shri G.K.Beriwal, Dy. Advocate General for the State/respondents.

Heard on admission.

Learned counsel for the petitioner submits that so far as the relief of quashing of the suspension order is concerned, it has become infructuous. The order of suspension has been revoked by the authority concerned.

However, he prays for admitting the petition regarding quashment of the departmental enquiry said to have been initiated by respondent No.2.

I have gone through the documents filed as Annexure P-3 and P-4. Annexure P-3 is the article of charges issued to the petitioner on 20.4.2005 by which 3 charges have been leveled against him. The petitioner has filed a reply to the aforesaid charge sheet in which he has denied all the charges and has prayed for appointment of Defense Assistant for him.

The charges leveled against the petitioner are the question of facts which can only be determined after completion of the enquiry and after due evaluation of the material placed before the Enquiry Officer. It would not be proper for this Court to interfere in this matter at this stage and to record any finding in relation to factual aspect of the matter.

SP/FS/2005 - 20,000

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Besides, the above factual aspect, learned counsel for the petitioner could not point out any such ground which may relate to the jurisdiction or the authority of the concerned authority or the disciplinary authority which may render enquiry non est.

In the opinion of this Court, this is not a matter in which the Court can interfere at this stage for quashing of the departmental enquiry, I am not inclined to entertain this petition.

The petition is summarily dismissed.

Consequently, I.A. No.4345/2005 for urgent hearing and M.W.P.No. 1795/2005 stand disposed of.

Sd/-
Sunil Kumar Sinha
Judge

sunita